

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 4-12 and 15-19 are presently active in this case, Claims 1, 3, 12 and 14 canceled and Claims 4, 5, 8-11, 16 and 19 amended by way of the present amendment.

In the outstanding Office Action, Claims 1, 3, 5-12, 14 and 16-19 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite; Claims 1, 5-12 and 16-19 were rejected under 35 U.S.C. § 102(a) as being anticipated by US 2003/0188972 to Shatrov; Claims 3 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shatrov in view of US 2003/0150419 to Daragheh; and Claims 4 and 15 were allowed.

First, Applicants wish to thank Examiner Yevsikov for the May 30, 2007 telephone discussion at which time the outstanding issues in this case were discussed. During the discussion, Applicants presented amendments and remarks substantially as indicated in this response. Examiner Yevsikov indicated that the amendments would be entered and place this case in condition for allowance.

As noted above, the outstanding Office Action has allowed independent Claims 4 and 15. As discussed in the May 30th telephone discussion, rejected Claims 1, 3, 12 and 14 have been canceled, and the remaining dependent claims have been amended to depend from the allowed Claims 4 or 15. Thus, all pending claims in this case are now in condition for allowance.

This Amendment amends the specification and Claims 8 and 19 by replacing "DyO₃" with --Dy₂O₃--. The term "DyO₃" is an obvious error.

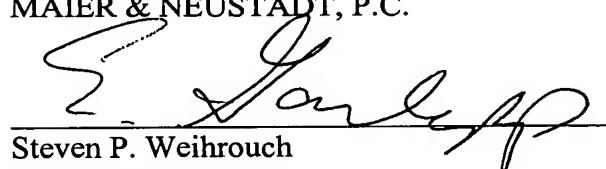
An amendment to correct an obvious error does not constitute new matter where one skilled in the art would not only recognize the existence of error in the specification, but also the appropriate correction. M.P.E.P. 2163.07.II

The specification discloses "DyO₃". The skilled artisan knows that "Dy" refers to the metallic element dysprosium and that "O" refers to the element oxygen. See, e.g., Hawley's Condensed Chemical Dictionary, Twelfth Edition, pages 451 and 862-863 (copy of each attached). "A mineral in which metallic atoms are bonded to oxygen atoms" is a definition of the term "oxide". Id., at page 861 (copy attached). Thus, the skilled artisan knows that "DyO₃" refers to an oxide of dysprosium, i.e., "dysprosium oxide". However, "dysprosium oxide" has only the chemical formula "Dy₂O₃". Id., at page 451. Because "DyO₃" is not a "dysprosium oxide", the skilled artisan would recognize (i) that "DyO₃" must be an error. Furthermore, because "dysprosium oxide" has only the chemical formula "Dy₂O₃", the skilled artisan would recognize (ii) that "DyO₃" should be corrected to read --Dy₂O₃--. Because an amendment to correct an obvious error does not constitute new matter, no new matter would be introduced by entry of these amendments.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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